

## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** December 8, 2015  
**SUBJECT:** BZA Case 17772A, 4605 Kane Place, N.E.

### **I. APPLICATION AND RECOMMENDATION**

Bishop George F. Haskins, Jr. requests special exception relief pursuant to 11 DCMR § 3104.1 and § 205 of the Zoning Regulations, to expand a child development center from 15 children and 3 staff to 39 children and 8 staff at 4605 Kane Place, N.E. The site is in the R-2 District.

The Office of Planning (OP) recommends **approval** of the children development center with the following conditions:

1. Approval shall be for a period of seven (7) years.
2. The hours of operations shall be weekdays from 6:00 am to 6:00 pm.
3. The student enrollment shall not exceed thirty nine (39), ranging in age from 1 year to 14 years. The final number of students licensed for the center will be determined by the Office of the State Superintendent of Education (OSSE).
4. The center shall be operated by eight (8) staff members.
5. Drop off of students shall take place at the front of the center between 6:00 am to 9:00 am and pick-up between 3:00 pm to 6:00 pm.

The site currently has a child development center for 15 children and 3 staff approved by BZA Order 17772 which expired on June 18, 2015. With the proposed increase in students and staff the hours of operation, drop off and pick up times would remain the same.

### **II. LOCATION AND SITE DESCRIPTION**

|                      |                                                                                                                                              |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Address              | 4605 Kane Place, N.E.                                                                                                                        |
| Legal Description    | Square 5154, Lot901                                                                                                                          |
| Ward/ANC             | 7/7C                                                                                                                                         |
| Lot Characteristics  | 9,912 square foot lot which abuts an unimproved alley to it rear.                                                                            |
| Zoning               | R-2 – detached and semi detached single family dwellings.                                                                                    |
| Existing Development | Two-story plus basement detached building that currently houses a children center with an outdoor play at the rear and side of the building. |

|                                    |                                                                                                                                                                                                                                 |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Historic District                  | Not within a historic district.                                                                                                                                                                                                 |
| Adjacent Properties                | To the north and west are single-family, detached houses while to the east is an undeveloped property. These properties are in the R-2 zone. To the south is a parking lot for the Pilgrim Rest Baptist Church in the C-1 zone. |
| Surrounding Neighborhood Character | The subject property is in the Deanwood Neighborhood and is predominantly single family detached interspersed with a few garden apartments and institutional uses.                                                              |



Site Location



Front of Building



Side of Building



Play Area and Open Space

### III. PROPOSAL

The proposal is to expand the existing child development center from 15 children and 3 staff to 39 children and 8 staff. The child development center would operate within the confines of the existing building with no expansion necessary or proposed. The hours of operation would remain at weekdays between 6:00 am and 6:00 pm with drop-offs between 6:00 am and 9:00 am and pick-ups

between 3:00 pm and 6:00 pm along Kane Street, in front of the building. The outdoor play area would remain the same.

#### **IV. OFFICE OF PLANNING ANALYSIS**

In the R-2 District, a child development center is permitted as a special exception under § 205. The application addresses the requirements as follows.

**205.2 The center shall be capable of meeting all applicable code and licensing requirements.**

The proposal would be reviewed by the Office of the State Superintendent of Education (OSSE) and the Fire Department for compliance with code and license requirements. The building is currently in compliance with the Fire Safety Regulations and OSSE recommends approval of the child development center. However, they state that the final number of children licensed for the facility would be dependent on the ages of the children and the space allotment.

**205.3 The center shall be located and designed to create no objectionable traffic conditions and no unsafe conditions for picking up and dropping off children.**

The drop-off area would be on Kane Place, which is a minor traffic route that is mostly used by local residents. Not all of the children would be dropped off and picked up at the same time, as some of the children attend other schools so would only access the facility for before and/or after care. The general traffic flow in the community is low and should not be significantly affected by traffic directed to the center. Many of the children that would attend reside within walking distance and would not need to be transported by car. Children would also access the center via Metro Bus, or the Deanwood Metro Rail Station. Because of light traffic flow on the subject block, children can be safely dropped off and picked up in front of the subject site.

**205.4 The center shall provide sufficient off-street parking spaces to meet the reasonable needs of teachers, other employees, and visitors.**

Section 2101.1 of the Zoning Regulations requires 1 parking space for each 4 teachers and other employees. The subject school has 8 employees and therefore would require 2 parking spaces. The property currently has two (2), on-site parking spaces on the west side of the building. There is adequate on-street parking.

**205.5 The center, including any outdoor play space provided, shall be located and designed so that there will be no objectionable impacts or nearby properties due to noise or activity, or other objectionable conditions.**

The subject lot is 60 feet wide at the front and almost 83 feet in width at the rear where it intersects with an unimproved public alley. The adjoining lot to the east and south are vacant while the property to the west is developed with a single family detached unit. The facility currently provides a 30-foot by 35-foot play area on the south and east side of the property and is enclosed by a 6-foot high wooden fence along the south, east and west property lines and a metal linked fence along the

northern boundary of the play area. The single family home on the west is located on the northern portion of the lot and the play area would be adjacent to its rear yard and separated by a six-foot high wooden fence to help minimize sounds and views. Additionally, not all 39 children would use the play area at the same time. The adjacent vacant lots provide an adequate distance and buffer between the proposed play area and single-family detached dwellings that are beyond the vacant properties.



View of Play Area from Kane Place, NE



Trash Storage

Trash is currently stored in bins on the east side of the building and is collected by a private contractor twice per week. The applicant states that if the proposal is approved and additional pickups are necessary the frequency of pickups would be increased.

**205.6 The Board may require special treatment in the way of design, screening of buildings, planting and parking areas, signs, or other requirements as it shall deem necessary to protect adjacent and nearby properties.**

OP does not recommend any additional special treatment in the way of design, screening of buildings planting and parking areas. The proposed child development center would be designed and screened in a manner that minimizes negative impact on adjacent nearby properties, while providing a safe environment for children.

**205.7 Any off-site play area shall be located so as not to result in the endangerment to the individuals in attendance at the center in traveling between the play area and the center itself.**

The outdoor play for the child development center would be on-site in an enclosed area to the rear of the property.

**205.8 The Board may approve more than one (1) child/elderly development center in a square or within one thousand feet (1,000 feet) of another child/elderly development center only when the Board finds that the cumulative effect of these facilities will not have adverse impact on the neighborhood due to traffic, noise, operations, or other similar factors.**

There is no other child development center on the same square or within 1,000 feet of the subject property.

**Pursuant to authority contained in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this title, where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps.**

If the Board were to grant the requested special exception, it would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to adversely affect the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. Child development centers are permitted by special exception in the R-2 District, if approved by the Board. The subject center would be consistent with the intent of the Zoning Regulations and Zoning Map, and a child development center is a compatible use within low density single-family neighborhoods.

OP recommends retaining the approval for a period of seven (7) years since the proposal would be an increase in the number of children and staff over the current approval.

#### **V. COMMENTS OF OTHER DISTRICT AGENCIES**

District Department of Transportation will provide reports under separate cover.

#### **VI. COMMUNITY COMMENT**

The subject property is within ANC 7C. OP has advised the Applicant to contact the ANC for review of the proposal. The Applicant has submitted letters of support from the adjacent neighbor as well as parents.